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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/826,822	04/16/2004	Charles Markosi III	ITL-10002/08	1725
25006	7590	04/24/2007		
GIFFORD, KRASS, SPRINKLE, ANDERSON & CITKOWSKI, P.C			EXAMINER	
PO BOX 7021			HOANG, DANIEL L	
TROY, MI 48007-7021			ART UNIT	PAPER NUMBER
			2136	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/24/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/826,822

Applicant(s)

MARKOSI, CHARLES

Examiner

Daniel L. Hoang

Art Unit

2136

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 4/16/04, 8/04/04.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>8/04/04</u> . | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

CLAIMS PRESENTED

Claims 1-18 are presented.

CLAIM REJECTIONS

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

1. Claims 10 and 11 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Both claims recite the limitation "database" which is not mentioned in applicant's specification. Appropriate corrections are required.

2. Claim 13 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The claim cites that the security server starts recording information after law enforcement has been notified. Applicant does not disclose in the specification that the security server is operable to record information. Claim 13 also cites the limitation "information". It is unclear to examiner what information the claim is referring to. Appropriate corrections are required.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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1. Claim 13 recites the limitation "said information" in claim 10. There is insufficient antecedent basis for this limitation in the claim. For purposes of examination, examiner interprets the claim to read "security server starts recording information after law enforcement has been notified."

2. Claim 15 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The claim recites the limitation "law enforcement agency." As applicant has not defined what can be considered a law enforcement agency in the specification, examiner interprets this limitation to include any parties that are operable to enforce rules/violations/boundaries, etc.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Hughes et al., US Patent no. 6,065,055, hereinafter Hughes.

As per claim 1, 8, 10, 16, Hughes teaches:

A system for use in combination with an Internet service provider for monitoring electronic communications conducted via the Internet/Intranet, the Internet service provider being in communication with a server, said system operative to store communications in the server and alert predetermined entities when the electronic communications between a user interface and the Internet are determined to be inappropriate based on predetermined criteria, said system comprising:

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a user interface in communication with the Internet service provider, the Internet service provider operative to facilitate electronic communications between said user interface and the Internet;

[see col. 2, paragraph 5] Examiner is interpreting the computer in which the user is operating to access the internet as the claimed "user interface". The claimed "Internet service provider" is equivalent to network in which the user uses to access the Internet.

a software program employed by the Internet service provider, said software program operative to monitor said electronic communications between said user interface and the Internet and to cause a portion of said electronic communications corresponding to inappropriate communications to be sent to the server when said electronic communications satisfy a predetermined criteria,

[see col. 2, paragraphs 5-6] The claimed "software program" is equivalent to the reference's Chaperon software which comprises a proxy server operative to provide internet access to users as well as maintain an activity log which it can analyze to alert system administrators. The monitoring is done by module 1 of the reference.

the server operative to store said portion of electronic communications and further operative to generate a violation notice regarding said inappropriate communications;
and

[see col. 3, paragraph 6] the claimed "violation notice" is equivalent to the reference's notification"

a content administrator in communication with the server, said content administrator operative to receive said violation notice from the server and to access said stored portion of electronic communications,

[see col. 10, paragraphs 4-5]

said system operative to permit said content administrator to send complaint information to legal authorities when said content administrator determines said stored portion of electronic communications are inappropriate communications.

[see col. 5, paragraph 1]

As per claim 2, Hughes teaches:

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The system of claim 1 wherein the user interface is an interface selected from the group consisting of a computer, a personal communications system, and a cell phone.

[see rejection of claim 1 wherein the user interface is a computer]

As per claim 3, Hughes teaches:

The system of claim 1 wherein said predetermined criteria is a word or a group of words provided with said software program.

[see col. 4, paragraph 4]

As per claim 4, Hughes teaches:

The system of claim 3 wherein said predetermined criteria is further comprised of criteria selectively provided by said content administrator.

[see fig. 9] the filter list is loaded by the system administrator.

As per claim 5, Hughes teaches:

The system of claim 1 wherein said software program is operative to selectively monitor communications at one of a plurality of security levels.

[see col. 4, paragraph 1]

As per claim 6, Hughes teaches:

The system of claim 1 wherein said content administrator is in communication with the Internet service provider to set up, modify, or disable said software program.

[see col. 6, paragraph 1]

As per claim 7, 9, Hughes teaches:

The system of claim 1 wherein said content administrator sends complaint information to legal authorities electronically by clicking an electronic link provided in said violation notice.

[see col. 5, paragraph 1]

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As per claim 11, Hughes teaches:

The system of claim 10 wherein said first and second predetermined criteria is stored in said database.

[see fig. 1] Criteria is operable to be downloaded from the internet.

As per claim 12, Hughes teaches:

The system of claim 10 wherein said administrator is in communication with said security server via a computer connected to the Internet.

[see fig. 1]

As per claim 13, Hughes teaches:

The system of claim 10 wherein said security server starts recording said information after law enforcement has been notified.

[see figs. 13-22]

As per claim 14, Hughes teaches:

The system of claim 10 wherein said administrator is further operative to generate and send an investigation request to local authorities when said administrator determines said stored information is said inappropriate communications.

[see col. 5, paragraph 1]

As per claim 15, Hughes teaches:

The system of claim 10 wherein said security server is selectively accessible to a law enforcement agency.

[see col. 5, paragraph 1]

As per claim 17, Hughes teaches:

The system of claim 16 wherein the first and second server are disposed a common corporate boundary.

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[see fig. 1]

As per claim 18, Hughes teaches:

The system of claim 16 wherein the first and second server are disposed at separate corporate boundaries that are remote from one another.

[see fig. 1]

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Points of Contact

- *. Any response to this Office Action should be **faxed to (571) 273-8300 or mailed to:**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Hand-delivered responses should be brought to

Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

- *. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel L. Hoang whose telephone number is 571-270-1019. The examiner can normally be reached on Monday - Thursday, 8:00 a.m. - 5:00 p.m., EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nasser Moazzami can be reached on 571-272-4195. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published

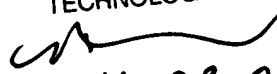
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applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Daniel L. Hoang
4/23/07

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4,23,07